

REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed March 17, 2006. Claims 1-34 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 1-34. The present Response amends claims 1, 3-12, 14, and 20, cancels claim 34, leaving for the Examiner's present consideration of claims 1-33. Reconsideration of the rejections is respectfully requested.

I. Claim Rejections – 35 USC § 112

Claims 1 and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 4 as well as other related claims have been amended to eliminate the phrases "capable of" or "can be", and the Applicant respectfully requests the rejection with respect to these claims and their dependent claims be withdrawn.

II. Claim Rejections – 35 USC § 101

1. Claims 1-12 are directed to a system to process an XML document; however, the recited claim does not include any physical components to process (e.g. processor and memory). Rather, these are software steps or software prose.

Independent claim 1, which claims 2-12 depend on, has been amended as "computer-implemented", and the Applicant respectfully requests the rejection with respect to these claims and their dependent claims be withdrawn.

2. Claim 34 is directed to a computer data signal embodied in a transmission medium. A signal encoded with functional descriptive material does not fall within any of the categories of patentable subject matter.

Claim 34 has been canceled.

III. Claim Rejections – 35 USC § 103

Claims 1-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang (Pub. No. 2004/0167864) in view of Beauchamp et al. (U.S. Patent No. 6,621,505 B1).

In the Response to Arguments, the examiner cited part of claim 14 in Wang as indicating “only a partial of events are stored and deliver to the matcher.” Such interpretation, however, is not supported by the specification and figures of Wang. More specifically, Wang states that “for each working node..., all of its our-edges are checked to find those that match ...” ([0043], lines 15-17), meaning every event from the parsing of the XML document is sent to the matcher first. There is no teaching of storing only part of them anywhere before matching in [0043] and Fig. 3 shows a straight path for all document elements from XML parser 24 to Matcher 34. In contrast, the present invention keeps in memory only a subset of the stream of events (i.e., partial XML document) before performing a match on these events (claim 1, 13, 23, 33, and 34), which has numerous advantages over Wang as discussed in the previous response. On the other hand, Beauchamp is a data presentation method at the upstream of the data processing method of the present invention as discussed in the previous response on 5/4/2005. Therefore, Wang in view of Beauchamp cannot render the present invention in independent claims 1, 13, 23, 33, and 34 obvious. Since claims 2-12 depend on claim 1, claims 14-22 depend on claim 13, claims 24-32 depend on claim 23, Wang in view of Beauchamp cannot render claims 1-34 obvious under 35 U.S.C. § 103(a) for at least this reason, and Applicant respectfully requests that the rejection with respect to these claims be withdrawn.

IV. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

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Respectfully submitted,

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